

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.,

Defendants.

Case No. 2:23-cv-00103-JRG-RSP

JURY TRIAL DEMANDED

**PLAINTIFF HEADWATER RESEARCH LLC'S UNOPPOSED MOTION TO EXCUSE
ATTENDANCE OF LEAD COUNSEL AT OCTOBER 2, 2024 MOTION HEARING**

Plaintiff Headwater Research LLC files this unopposed motion to excuse attendance of its lead counsel, Marc Fenster, at the motion hearing on October 2, 2024. The Court recently set the October 2nd hearing on pending motions to compel. *See* Text Notice of Hearing (Sept. 24, 2024). Mr. Fenster has a significant conflict because he will be preparing for another trial in the Central District of California set to begin soon after the hearing date. *See SPEX Techs., Inc. v. Western Digital Corp*, et al., No. 8:16-CV-01799-JVS (C.D. Cal.).

Thus, Headwater respectfully requests that the Court excuse Mr. Fenster from attending the October 2nd hearing. Headwater will be represented at the hearing by other senior attorneys who have full knowledge of the issues and authority in this case. The parties have conferred, and Samsung does not oppose this motion or excusing Mr. Fenster.

Dated: September 26, 2024

Respectfully submitted,

/s/ Marc Fenster

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***Attorneys for Plaintiff,
Headwater Research LLC***

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served on September 26, 2024, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Marc Fenster

Marc Fenster

CERTIFICATE OF CONFERENCE

I hereby certify pursuant to Local Rule CV-7(h) that the parties have conferred, and this motion and the requested relief are unopposed.

/s/ Marc Fenster

Marc Fenster